

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
 J. DANEE SERGENT, :
 Plaintiff, :
 :
 -against- :
 :
 CITY OF NEW YORK, et al., :
 :
 Defendants. :
 :
 -----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/20/2021

20-cv-8161 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

On January 8, 2021, I issued an order stating that this case would be conducted in accordance with Local Civil Rule 83.10 (formerly the “1983 Plan”) (herein, “the Plan”). (Doc. 19.) Under the Plan, the case was automatically referred to mediation. I also directed the parties to submit, by January 22, 2021, a joint letter and proposed case management plan and scheduling order. (*Id.*)

On January 15, 2021, Plaintiff submitted a letter requesting that this case be exempted from the Plan. (Doc. 20.) In support of this request, Plaintiff asserts that “Plaintiff does not expect that the parties will be able to reach a resolution of this matter pursuant to the Plan” and hopes “to avoid any months-long delay.” (*Id.*) Plaintiff states that she is prepared to file the joint letter and case management plan such that the deadlines in the case management plan would become effective immediately. (*Id.*) Defendants oppose this request, and state that due to the early stage of this case, wherein no discovery has been exchanged nor have settlement discussions begun, Plaintiff’s basis for stating that mediation will be unsuccessful is unclear. (Doc. 21.) Defendants state that the parties can still file the joint letter as previously directed and

can draft a proposed case management plan that begins after the Plan dates have been completed, which would take effect should the case not resolve at mediation. (*Id.*)

I agree with Defendants that Plaintiff has failed to provide a valid reason for exempting this case from the Plan.

Accordingly, Plaintiff's motion is DENIED. By January 22, 2021, the parties should file a joint letter and a proposed case management plan that begins after the Plan dates have been completed, which will take effect if the case is not resolved at mediation. The Clerk of Court is respectfully directed to terminate the open motion at Document 20.

SO ORDERED.

Dated: January 20, 2021
New York, New York


Vernon S. Broderick
Vernon S. Broderick
United States District Judge